

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

HILDA L. SOLIS,

Petitioner,

v.

LUNSFORD ARCHITECTS & ENGINEERS,
INC.,

Respondent.

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Case No. 3:09-cv-861-MJR-DGW

REPORT AND RECOMMENDATIONS

On October 13, 2009, Petitioner Hilda L. Solis, Secretary of Labor, filed a Motion to Compel Respondent Lunsford Architects to comply with an administrative subpoena seeking documents relevant to the Department of Labor investigation into ERISA plans sponsored by Respondent Lunsford Architects & Engineers, Inc. (Doc. 2).


On July 18, 2011, Lunsford Architects, through its counsel, informed the Court that all documents within Respondent's knowledge that are responsive to the administrative subpoena have been produced to Petitioner Solis. Counsel for Lunsford Architects also represented that Paul Lunsford, owner, has signed a statement averring that he has produced to Petitioner all documents within his knowledge responsive to the subpoena. Counsel for Petitioner does not contest these representations.

CONCLUSION

Accordingly, it is hereby **RECOMMENDED** that the Court **FIND** that the Motion to Compel is now **MOOT**, and that the action to enforce the administrative subpoena be **DISMISSED**.

Pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 73.1, the parties shall have fourteen (14) days after the service of this Recommendation to file written objections thereto. The failure to file a timely objection may result in the waiver of the right to challenge these Recommendations before either the District Court or the Court of Appeals. *Snyder v. Nolen*, 380 F.3d 279, 284 (7th Cir. 2004); *United States v. Hernandez-Rivas*, 348 F.3d 595, 598 (7th Cir. 2003).

DATED: July 20, 2011


DONALD G. WILKERSON
United States Magistrate Judge